IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9462 OF 2004

Sambhaji S. Deshmukh & anr. Petitioners

versus

The State of Maharashtra & Ors. Respondents

Sachin Manale i/by Suresh S.Pakale, adv. for petitioners.

P.I.Khemani, AGP for R.1 and 4.

CORAM : A.P.SHAH AND
S.C.DHARMADHIKARI, J.

DATE : 6th December 2004

PC :

1. Heard advocates.

2. The earlier petition filed by the petitioners being Writ Petition No.3397 of 2003 was disposed of by the Division Bench on 19th April 2004 by passing following order :-

"This Petition can be conveniently disposed of on a statement made on behalf of the school, that the school is willing to regularise the Petitioner, provided they give up the claim for back wages. Shri Pakale, the Ld. Counsel states that the Petitioners give up the claim for back wages. In this view of the matter, petition is disposed of. Letter dated 12/11/2003 is taken on record. List Writ Petition No.2012/2003 next week.

2. Parties to act on the authenticated copy of this order."

3. It is clearly seen from the above order that the learned counsel appearing for the petitioners expressly gave up the claim for back wages. It is therefore, not open for the petitioners to agitate the issue of back wages. Petition is, therefore, dismissed.

(A.P.SHAH, J.)

(S.C.DHARMADHIKARI, J.)